

PATENT

Attorney's Docket No. 62002-1750

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**COMBINED DECLARATION AND POWER OF ATTORNEY**  
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION OR CIP)

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one applicable item below)

- original  
 design  
 supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item; check appropriate one of last three items.

- national stage of PCT

NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

- divisional  
 continuation  
 continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

**WARNING:** If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

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**Method And Apparatus For Low Energy Electron Enhanced Etching Of Substrates In An AC Or DC Plasma Environment**

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**SPECIFICATION IDENTIFICATION**

the specification of which: (complete (a), (b) or (c))

- (a)  is attached hereto.  
(b)  was filed on \_\_\_\_\_ as Serial No. \_\_\_\_\_ or  
 Express Mail No. 148141084, as Serial No. not yet known and was amended on \_\_\_\_\_ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

- (c)  was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended Under PCT Article 19 on \_\_\_\_\_ (if any).

## **ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information

- which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.
  - (also check the following items, if desired)
- and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, and
- In compliance with this duty, there is attached an information disclosure statement in accordance with 37 CFR 1.98.

We hereby claim foreign priority benefits under Title 35, United States Code, 119 of any United States provisional patent application, foreign application(s) for patent or inventors' certificate listed below and have also identified below any foreign application for patent or inventors' certificate having a filing date before that of the application on which priority is claimed:

**U.S. Provisional Application Serial No. 60/026,985**  
**U.S. Provisional Application Serial No. 60/026,587**

We hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, we acknowledge the duty to disclose all information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**U.S. Patent Application Serial No. 08/705,902**

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

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NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

**POWER OF ATTORNEY**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Scott A. Horstemeyer, #34,183  
David P. Kelley, #17,420  
Stephen R. Risley, #35,659  
Daniel J. Santos, #40,158  
John A. Savio, III, #36,665  
Michael J. Tempel, #41,344  
David R. Risley, #39,345

James W. Kayden, #31,532  
George M. Thomas, #22,260  
Jeffrey R. Kuester, #34,367  
Daniel R. McClure, #38,962  
Robert E. Stachler, II, #36,934  
Michael J. D'Aurelio, #40,977

(check the following item, if applicable)

Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

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**SEND CORRESPONDENCE TO  
CALLS TO:**

Scott A. Horstemeyer  
Thomas, Kayden, Horstemeyer & Risley, L.L.P.  
Suite 1500  
100 Galleria Parkway N.W.  
Atlanta, Georgia 30339

**DIRECT TELEPHONE**

(Name and Telephone No.)  
Scott A. Horstemeyer  
(770) 933-9500

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**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Full name of first joint inventor Kevin P. Martin  
Inventor's signature Kevin Martin Date 9/30/97  
Country of Citizenship U.S.A.  
Residence 898 Piedmont Road, Atlanta, Georgia 30309  
Post Office Address 898 Piedmont Road, Atlanta, Georgia 30309

Full name of second joint inventor Harry D. Gillis  
Inventor's signature Harry D. Gillis Date 7 Oct 1997  
Country of Citizenship U.S.A.  
Residence 1540 Armacost Avenue, #2, Los Angeles, California 90025  
Post Office Address 1540 Armacost Avenue, #2, Los Angeles, California 90025

Full name of third joint inventor Dmitri A. Choutov  
Inventor's signature Dmitri A. Choutov Date 11/17/97  
Country of Citizenship Republic of Moldavia  
Residence 1905 Magdalene Circle, Apt. 39, Santa Clara, California 95051  
Post Office Address 1905 Magdalene Circle, Apt. 39, Santa Clara, California 95051

Full name of fourth joint inventor N/A  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Country of Citizenship \_\_\_\_\_  
Residence \_\_\_\_\_  
Post Office Address \_\_\_\_\_

CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH  
FORM A PART OF THIS DECLARATION

- Signature for subsequent joint inventors. Number of pages added \_\_\_\_\_.
- Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_\_.
- Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_.

\* \* \*

- Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.  
 Number of pages added \_\_\_\_\_

\* \* \*

- Authorization of attorney(s) to accept and follow instructions from representative.

\* \* \*

If no further pages form a part of this Declaration then end this Declaration with this page and check the following item

This declaration ends with this page

## PATENT

Attorney's Docket No. 62002-1750

Applicant or Patentee: Martin et al.  
 Serial or Patent No.: 08/932,025  
 Filed or Issued: September 17, 1997  
 For: Method And Apparatus For Low Energy Electron Enhanced Etching  
Of Substrates In An AC Or DC Plasma Environment

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) AND 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Georgia Tech Research Corporation  
 ADDRESS OF ORGANIZATION 400 Tenth Street, Centennial Research Building  
Atlanta, Georgia 30332-0415

## TYPE OF ORGANIZATION

- UNIVERSITY OR OTHER INSTITUTE OF HIGHER EDUCATION
- TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3))
- NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE GEORGIA)  
(CITATION OF STATUTE ))
- WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE )  
(CITATION OF STATUTE ))

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled: Method And Apparatus For Low Energy Electron Enhanced Etching Of Substrates In An AC Or DC Plasma Environment by inventor(s) Kevin P. Martin, Harry P. Gillis and Dmitri A. Choutov

described in

- the specification filed herewith.
- application serial no. 08/932,025, filed 09-17-97.
- patent no.                 , issued                 .

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention according to their status as small entities (37 CFR 1.27).

NAME N/A  
ADDRESS \_\_\_\_\_

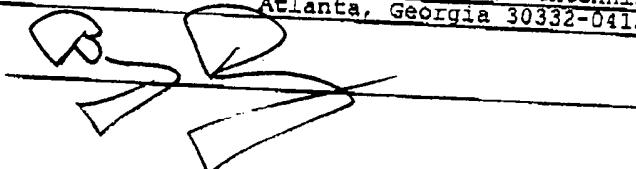
INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION  
NAME N/A  
ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Barry Rosenberg  
TITLE IN ORGANIZATION Director, Office of Technology Licensing, GTRC  
ADDRESS OF PERSON SIGNING 400 Tenth Street, Centennial Research Building  
Atlanta, Georgia 30332-0415

SIGNATURE 

Date 2/19/98